

ASSEMBLY BILL NO. 466—ASSEMBLYMEN LESLIE, PARKS, PARNELL,
GIBBONS, ANDERSON, BROWER, CHOWNING, FREEMAN,
GIUNCHIGLIANI, HUMKE, SMITH AND TIFFANY

MARCH 19, 2001

JOINT SPONSOR: SENATOR MATHEWS

Referred to Committee on Judiciary

SUMMARY—Provides for issuance of statewide work permits for gaming employees.
(BDR 41-244)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to gaming employees; providing for the issuance of statewide work permits
for gaming employees; establishing a maximum fee for the issuance of such a
work permit; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 463.0197 is hereby amended to read as follows:
2 463.0197 “Work permit” means any card, certificate or permit issued
3 by the board or by a county or city licensing authority, whether
4 denominated as a work permit, registration card or otherwise, authorizing
5 the holder to be employed as a gaming employee *in this state* or to serve as
6 an independent agent. A document issued by any governmental authority
7 for any employment other than gaming is not a valid work permit for the
8 purposes of this chapter.

9 **Sec. 2.** NRS 463.335 is hereby amended to read as follows:
10 463.335 1. The legislature finds that, to protect and promote the
11 health, safety, morals, good order and general welfare of the inhabitants of
12 the State of Nevada and to carry out the policy declared in NRS 463.0129,
13 it is necessary that the board:

14 (a) Ascertain and keep itself informed of the identity, prior activities
15 and present location of all gaming employees and independent agents in
16 the State of Nevada; and

17 (b) Maintain confidential records of such information.



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1 2. Except as otherwise provided in ~~subsections 3 and 4,~~ *subsection 3,*
2 a person may not be employed as a gaming employee or serve as an
3 independent agent unless he is the holder of ~~+~~
4 ~~—(a) A valid work permit issued in accordance with the applicable~~
5 ~~ordinances or regulations of the county or city in which his duties are~~
6 ~~performed and the provisions of this chapter; or~~
7 ~~—(b) A valid work permit issued by the board, if a work permit is not~~
8 ~~required by either the county or the city.] a valid work permit to work as a~~
9 *gaming employee issued pursuant to this section. A work permit to work*
10 *as a gaming employee may be issued by the board or by a county or city*
11 *licensing authority. An applicant for a work permit shall file his*
12 *application for a work permit with the licensing authority of the city in*
13 *which he resides if that city requires a work permit. If the city in which*
14 *he resides does not require such a permit, the applicant shall file his*
15 *application with the licensing authority of the county in which he resides*
16 *if that county requires a work permit. If the county in which he resides*
17 *does not require such a permit, the applicant shall file his application*
18 *with the board. The board shall, by regulation, prescribe the form for an*
19 *application for a work permit to work as a gaming employee. The fee for*
20 *such a permit may be charged only to cover the actual investigative and*
21 *administrative costs related to processing an application for such a*
22 *permit and must not exceed \$75.*
23 3. An independent agent is not required to hold a work permit if he is
24 not a resident of this state and has registered with the board in accordance
25 with the provisions of the regulations adopted by the commission.
26 4. ~~[A person may be employed as a gaming employee for an operator~~
27 ~~of a slot machine route and perform duties for his employer in more than~~
28 ~~one county or city without obtaining a valid work permit for each county or~~
29 ~~city in which he performs those duties if the person holds:~~
30 ~~—(a) A valid work permit issued in accordance with the applicable~~
31 ~~ordinances or regulations of the county or city in which his duties are~~
32 ~~primarily performed and the provisions of this chapter; or~~
33 ~~—(b) A valid work permit issued by the board, if a work permit is not~~
34 ~~required by either the county or the city in which his duties are primarily~~
35 ~~performed.~~
36 ~~—5. A gaming employee described in subsection 4 shall notify the~~
37 ~~licensing authority of each city and county in which he performs duties for~~
38 ~~his employer, other than the licensing authority that issued his valid work~~
39 ~~permit, that he has obtained a valid work permit pursuant to subsection 4.~~
40 ~~—6.] Upon receipt of an application for a work permit to work as a~~
41 *gaming employee, the board or licensing authority shall conduct an*
42 *investigation of the applicant to determine whether he is eligible for the*
43 *permit. In conducting the investigation, the board or licensing authority*
44 *shall forward a complete set of the applicant's fingerprints to the central*
45 *repository for Nevada records of criminal history for submission to the*
46 *Federal Bureau of Investigation for a report concerning the criminal*
47 *history of the applicant. The investigation need not be limited solely to*
48 *consideration of the results of the report concerning the criminal history*
49 *of the applicant.*



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- 1 5. A work permit issued to a gaming employee or an independent
2 agent must have clearly imprinted thereon a statement that it is valid for
3 gaming purposes only.
- 4 6. *Unless denied or objected to by the board at the time that the*
5 *permittee filed a notice of a change in his place of employment pursuant*
6 *to subsection 8 and unless suspended or revoked, such a permit expires*
7 *on the fifth anniversary of the permittee's birthday, measured from the*
8 *birthday nearest the date of issuance or renewal. If the date of birth of a*
9 *permittee is on February 29 in a leap year, for the purposes of this*
10 *section, his date of birth shall be deemed to be on February 28.*
- 11 7. Whenever any person applies *to a county or city licensing authority*
12 for the issuance or renewal of a work permit, the county or city officer or
13 employee to whom the application is made shall within 24 hours mail or
14 deliver a copy thereof to the board, and may at the discretion of the county
15 or city licensing authority issue a temporary work permit ~~that is valid~~
16 *for 90 days.* If within 90 days after receipt by the board of the copy of the
17 application, the board has not notified the county or city licensing authority
18 of any objection, the authority may issue, renew or deny a *permanent* work
19 permit to the applicant.
- 20 8. A gaming employee who is issued a work permit ~~must obtain~~
21 ~~renewal of the permit from the issuing agency within 10 days following~~
22 ~~any change of his place of employment. An independent agent who is~~
23 ~~issued a work permit must obtain renewal of the permit from the issuing~~
24 ~~agency within 10 days after executing an agreement to serve as an~~
25 ~~independent agent within the jurisdiction of the issuing agency.~~
- 26 8. *is eligible for employment in any licensed gaming establishment in*
27 *this state until the work permit is denied or objected to by the board,*
28 *expires or is revoked. However, each such employee shall notify the*
29 *board within 10 days following any change of his place of employment at*
30 *a gaming establishment. Such a notification shall be deemed an*
31 *application for a work permit that the board may deny or object to after*
32 *conducting any investigations the board deems appropriate. The*
33 *provisions of subsections 9 to 16, inclusive, apply to any such objection*
34 *of the board. The commission shall adopt regulations to:*
- 35 (a) *Facilitate uniform procedures for the issuance of work permits by*
36 *counties and cities;*
- 37 (b) *Establish uniform criteria for denial by a county or city licensing*
38 *authority of an application for a work permit; and*
- 39 (c) *Provide for the creation and maintenance of a system of records*
40 *that contain information regarding the current place of employment of*
41 *each person who possesses a valid work permit.*
- 42 9. If the board, within the 90-day period, notifies:
- 43 (a) The county or city licensing authority; and
- 44 (b) The applicant,
- 45 that the board objects to the granting of a work permit to the applicant, the
46 authority shall deny the work permit and shall immediately revoke and
47 repossess any temporary work permit which it may have issued. The notice
48 of objection by the board which is sent to the applicant must include a
49 statement of the facts upon which the board relied in making its objection.



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1 ~~19. Application for a work permit may be made to the board, and may~~
2 ~~be granted or denied for any cause deemed reasonable by the board.~~
3 **10.** Whenever *an application for a work permit is made to the board*
4 *and* the board denies such an application, it shall include in its notice of the
5 denial a statement of the facts upon which it relied in denying the
6 application. ~~Except for a permit issued to a person pursuant to subsection~~
7 ~~4, a permit issued by the board is valid only in a county or city that does~~
8 ~~not require a work permit.~~
9 ~~10.~~ **11.** Any person whose application for a work permit has been
10 denied because of an objection by the board or whose application has been
11 denied by the board may, not later than 60 days after receiving notice of
12 the denial or objection, apply to the board for a hearing. A failure of a
13 person whose application has been denied to apply for a hearing within 60
14 days or his failure to appear at a hearing of the board conducted pursuant to
15 this section shall be deemed to be an admission that the denial or objection
16 is well founded, and the failure precludes administrative or judicial review.
17 At the hearing, the board shall take any testimony deemed necessary. After
18 the hearing the board shall review the testimony taken and any other
19 evidence, and shall within 45 days after the date of the hearing mail to the
20 applicant its decision sustaining or reversing the denial of the work permit
21 or the objection to the issuance of a work permit.
22 ~~11.~~ **12.** The board may object to the issuance of a work permit or
23 may refuse to issue a work permit for any cause deemed reasonable by the
24 board. The board may object or refuse if the applicant has:
25 (a) Failed to disclose or misstated information or otherwise attempted to
26 mislead the board with respect to any material fact contained in the
27 application for the issuance or renewal of a work permit;
28 (b) Knowingly failed to comply with the provisions of this chapter or
29 chapter 463B, 464 or 465 of NRS or the regulations of the commission at a
30 place of previous employment;
31 (c) Committed, attempted or conspired to commit any crime of moral
32 turpitude, embezzlement or larceny or any violation of any law pertaining
33 to gaming, or any crime which is inimical to the declared policy of this
34 state concerning gaming;
35 (d) Committed, attempted or conspired to commit a crime which is a
36 felony or gross misdemeanor in this state or an offense in another state or
37 jurisdiction which would be a felony or gross misdemeanor if committed in
38 this state;
39 (e) Been identified in the published reports of any federal or state
40 legislative or executive body as being a member or associate of organized
41 crime, or as being of notorious and unsavory reputation;
42 (f) Been placed and remains in the constructive custody of any federal,
43 state or municipal law enforcement authority; or
44 (g) Had a work permit revoked or committed any act which is a ground
45 for the revocation of a work permit or would have been a ground for
46 revoking his work permit if he had then held a work
47 permit.
48 If the board issues or does not object to the issuance of a work permit to an
49 applicant, ~~who has been convicted of a crime which is a felony, gross~~



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1 ~~misdemeanor or misdemeanor.~~ it may specially limit the period for which
2 the permit is valid, limit the job classifications for which the holder of the
3 permit may be employed and establish such individual conditions for the
4 issuance, renewal and effectiveness of the permit as the board deems
5 appropriate, including required submission to unscheduled tests for the
6 presence of alcohol or controlled substances.

7 ~~12.1~~ 13. Any applicant aggrieved by the decision of the board may,
8 within 15 days after the announcement of the decision, apply in writing to
9 the commission for review of the decision. Review is limited to the record
10 of the proceedings before the board. The commission may sustain, modify
11 or reverse the board's decision. The decision of the commission is subject
12 to judicial review pursuant to NRS 463.315 to 463.318, inclusive.

13 ~~13.1~~ 14. Except as otherwise provided in this subsection, all records
14 acquired or compiled by the board or commission relating to any
15 application made pursuant to this section and all lists of persons to whom
16 work permits have been issued or denied and all records of the names or
17 identity of persons engaged in the gaming industry in this state are
18 confidential and must not be disclosed except in the proper administration
19 of this chapter or to an authorized law enforcement agency. Upon receipt
20 of a request from the welfare division of the department of human
21 resources pursuant to NRS 425.400 for information relating to a specific
22 person who has applied for or holds a work permit, the board shall disclose
23 to the division his social security number, residential address and ~~current~~
24 employer as that information is listed in the files and records of the board.
25 Any record of the board or commission which shows that the applicant has
26 been convicted of a crime in another state must show whether the crime
27 was a misdemeanor, gross misdemeanor, felony or other class of crime as
28 classified by the state in which the crime was committed. In a disclosure of
29 the conviction, reference to the classification of the crime must be based on
30 the classification in the state where it was committed.

31 ~~14. A work permit expires unless renewed in accordance with~~
32 ~~subsection 7, or if the holder thereof is not employed as a gaming~~
33 ~~employee or does not serve as an independent agent within the jurisdiction~~
34 ~~of the issuing authority for more than 90 days.~~

35 15. The chairman of the board may designate a member of the board or
36 the board may appoint a hearing examiner and authorize that person to
37 perform on behalf of the board any of the following functions required of
38 the board by this section concerning work permits:

- 39 (a) Conducting a hearing and taking testimony;
40 (b) Reviewing the testimony and evidence presented at the hearing;
41 (c) Making a recommendation to the board based upon the testimony
42 and evidence or rendering a decision on behalf of the board to sustain or
43 reverse the denial of a work permit or the objection to the issuance or
44 renewal of a work permit; and
45 (d) Notifying the applicant of the decision.

46 16. Notice by the board as provided pursuant to this section is
47 sufficient if it is mailed to the applicant's last known address as indicated
48 on the application for a work permit, or the record of the hearing, as the
49 case may be. The date of mailing may be proven by a certificate signed by



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1 an officer or employee of the board which specifies the time the notice was
2 mailed. The notice shall be deemed to have been received by the applicant
3 5 days after it is deposited with the United States Postal Service with the
4 postage thereon prepaid.

5 **Sec. 3.** 1. The Nevada gaming commission shall, on or before
6 January 1, 2003, adopt regulations to carry out the amendatory provisions
7 of section 2 of this act and transmit a copy of those regulations to each
8 county and city licensing authority that issues work permits to work as a
9 gaming employee.

10 2. The amendatory provisions of this act apply to any work permit to
11 work as a gaming employee that is issued by the state gaming control
12 board or a county or city licensing authority on or after January 1, 2003.

13 3. On or after January 1, 2003, a county or city licensing authority is
14 prohibited from issuing a work permit to work as a gaming employee that
15 does not comply with the provisions of this act and the regulations adopted
16 by the Nevada gaming commission.

17 4. A work permit to work as a gaming employee that was issued before
18 January 1, 2003, is valid until it expires or is revoked in accordance with
19 the provisions of NRS 463.335 that remain in effect until January 1, 2003.

20 **Sec. 4.** 1. This section becomes effective upon passage and
21 approval.

22 2. Sections 2 and 3 of this act become effective upon passage and
23 approval for purposes related to the adoption and dissemination of
24 regulations by the Nevada gaming commission and on January 1, 2003, for
25 all other purposes.

26 3. Section 1 of this act becomes effective on January 1, 2003.

